

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

NINILCHIK CHARTERS, LLC,

Plaintiff,

vs.

CATERPILLAR, INC.,

Defendant.

Case No. 3:04-cv-00250-TMB

JUDGMENT
IN A CIVIL CASE

 JURY VERDICT. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

 X **DECISION BY COURT.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the plaintiff take nothing, that the action be dismissed on the merits, and that the defendant Caterpillar, Inc. recover of the plaintiff Ninilchik Charters, LLC its costs of action in the amount of \$_____.

APPROVED:

/s/ Timothy M. Burgess

TIMOTHY M. BURGESS
United States District Judge

November 29, 2007

Date

IDA J. ROMACK

Clerk